



Certified Master Logger Program[®]

A SmartLogging Certified Program for Kentucky and Tennessee Master Loggers

CERTIFICATION STANDARDS

Version 8.0 October, 2007

Logging businesses in the Kentucky/Tennessee Certified Master Logger Program agree to the following:

1. To follow certification standards on all logging jobs.
2. To provide access to logging sites and paperwork to certification auditors and the Master Logger Office.
3. Owners that are actively engaged on harvest sites must maintain their Kentucky or Tennessee Master Logger status.
4. The logging business, its owners or employees can not be designated as bad actors as defined by the Kentucky Forest Conservation Act.
5. Logging business must not be in violation of federal, state, and local laws.

Standard Organization

There are 5 Subject Areas

1. **Best Management Practices**
2. **Local, State And Federal Laws And Regulations**
3. **Pre-Harvest Practices**
4. **Harvest Operations**
5. **Business Viability**

Under each of the subject areas there are one or more Criteria identified by a., b., c., etc. (see example below). Under each criteria there are one or more indicators identified by an *i*, *ii*, or *iii*, etc. The example below shows how the Standards are organized.

4 Harvesting Operations

Subject Area

A. Timber utilization

Criteria

Indicator

1. Logging firm maximizes timber resource utilization

Verifier

- a Remaining timber and/or woody debris is not saleable to local (financially viable) markets or is not included in the sale contract.

In the example above Harvesting Operations is the subject area. The first Criteria is “Timber utilization”. Under Timber utilization is the indicator “Logging firm maximizes timber resource utilization”. The auditor’s role is to determine if a logging job or firm is meeting the indicator. Verifiers are listed to aid in this determination and should be used where feasible. In this example the verifier “1 Remaining timber and/or woody debris is not saleable to local (financially viable) markets or is not included in the sale contract”. The auditor will look over the logging job and make sure that no merchantable material is being left in the woods and if the all the material that stipulated to be removed in a timber sale or harvest contract or agreement has been removed. If a verifier is not provided for an indicator then the auditor will inspect for the indicator itself.



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BEST MANAGEMENT PRACTICES

A. The logging firm is not a “Bad Actor”

1. Logging firm or employees are not designated as a “Bad Actor” as defined by the Kentucky Forest Conservation Act, not including logging firms or employees that are currently in the process of being removed from the KFCA “Bad Actor” designation.

- a Kentucky Division of Forestry indicates logger or employee is not designated one or more times as a Bad Actor.
- b Kentucky Division of Forestry indicates that logger or an employee have applied to have the bad actor designation removed, have paid their fines and are actively in the process of going through the process of having the designation removed.

B. The logging firm must use appropriate state BMP guidelines for water quality protection

1. Logging firm has an up-to-date copy of state approved BMP guidelines on each logging operation.

2. Active logging site compliant with state BMPs

- a (KY) KDF generated KFCA initial, periodic, compliance reports for the assessed site are Emergency Order and NOV free and indicate compliance with BMPs.
 - *Loggers will provide copies of reports to the certification auditor.*
- b (KY or TN) Audit inspection of site indicates logger in compliance with state BMPs

3. Logging site compliant with final (closeout) state BMPs

- a (KY) KDF generated final report for assessed site is Emergency Order and NOV free and indicates compliance with BMPs.
 - *Final BMP report must be sent by the logger to the program office. Auditor will provide logger with reminder notice.*
- b (TN) TDF courtesy check for the assessed site indicates compliance with Tennessee BMPs guidelines including closeout BMPs.
 - *BMP report including closeout BMPs must be sent by the logger to the program office. Auditor will provide logger with reminder notice.*
- c (TN) Industry BMP reports indicate compliance with state BMPs including closeout.
 - *BMP report including closeout BMPs must be sent by the logger to the program office. Auditor will provide logger with reminder notice.*

What it means: Stay off Kentucky’s “Bad Actors” list. In Kentucky call KDF for a BMP inspection. In Tennessee call TDF for a courtesy BMP inspection or keep BMP inspection reports from forest industry representatives. Keep all paperwork and submit to the auditor including the final inspection report that must be sent to the auditor when the job is completed. Make sure that you do not have any NOV’s or are under investigation by KDOW or TDEC.

LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS

A. OSHA (State)

Federal OSHA standards have been adopted for all states in the program. All OSHA regulations should be adhered to. The following verifiers are major requirements of OSHA logging standards and will be specifically inspected for in field audits. However, other OSHA requirements may also be assessed.

All regulations that follow must be adhered to by certified firms regardless of the firm size.

1. **Logger adheres to state adopted OSHA regulations.**
 - a Monthly safety training records are provided indicating training for all personnel
 - b Proof of job specific training for each employee
 - *Example: master logger training for chainsaw, felling, and loading; Game of Logging training for same; training records from other continuing education courses.*
 - c PPE in use for all employees
 - d ROPS in place on all equipment
 - *Equipment in good working order and no significant leaks found on equipment*
 - *All guards in place*
 - e Proper felling technique used
 - *Evidence of hinge wood on at least 70% of stumps in manual felling operations*
 - *No evidence of domino felling*
 - *Evidence of escape routes present for manual felling operations*
 - f Proper work zones adhered to
 - *No workers on ground within 2 tree lengths of felling*
 - *No workers present along skid trails and landings while equipment is in operation*
 - g Danger tree guidelines are being followed
 - h Proper loading, unload, and hauling procedures in use
 - i Accident records provided
 - j MSDS sheets and other work place related documents are present on job site or available at company office or shop.
 - k Job safety equipment, first aid kit and fire extinguishers are located and available on-site according to OSHA standards.
 - l Written safety plan available on site.
- B. **Workman's Compensation Insurance (State)**
 1. **Logging firm has current Workman's Compensation Insurance as required by law.**
 - a Workman's compensation insurance card available on-site
 - b Copy of application documents
- C. **Water Quality Laws(Fed, State)**
 1. **KDOW or TDEC indicates no NOV or impending action for the logging firm**
 2. **US EPA indicated no violation or impending action for the logging firm**
- D. **Child Labor Law (Federal)**
 1. **Logger does not employ children (less than 18 years of age) in dangerous work conditions**
 - a No children present/working around harvesting, loading or hauling equipment, or in portions of the job site that has been harvested or is in the process of being harvested.
- E. **Endangered Species (Federal)**
 1. **Logger adheres to Endangered Species Act**
 - a Practices to protect federally threatened and endangered species or their habitats are found on logging site where required.
 - b USFWS indicates no current violation or impending action for the logging firm
- F. **Transportation (Fed, State, Local)**
 1. **All applicable transportation laws are followed.**
 - a Paved highways are free of mud, debris and water from the logging site
 - b Local law enforcement and state police indicate no pending violations for the logger
 - *Logger should insure that any fines from transportation violations such as overweight tickets are paid on time. Proof of fine payment maybe required if an open violation is occurring during a field audit or the program office is notified of a violation.*
- G. **Trespass**

1. Logger not trespassing

- *Certification auditor will review sale boundaries with logger and operations are found to occur within sale boundaries as specified in contract or by the landowner or timber owner.*

H. County Ordinances

1. All county ordinances that apply to the logging operation are complied with.

- *Each certification auditor will be familiar with ordinances that pertain to logging operations within the counties where they audit.*

I. Hazardous Materials

1. Containment and disposal of hazardous materials (ex. fuel, oil, anti-freeze, hydraulic fluids) in accordance with federal and state law.

- a Evidence of used oil and fluid storage on-site
- b Proof of disposal
 - *Receipts for disposal or recycle*
 - *Disposal contract*

2. Oil spill kit available on-site.

- *Requirements for BMPs also indicate that no fluids or logging trash (oil filters, fluid containers) should be left on-site and that spillage should be contained.*

What it means: Don't break any laws. Make sure all employees use their safety equipment and adhere to safe logging practices as defined by OSHA. Keep any minors away from the job site. Check for Endangered Species were appropriate and follow water quality laws. The auditor will be looking for all these things and will ask to see an Workman's Compensation Insurance card when the logger is required to carry Workman's Compensation Insurance by state law.

PRE-HARVEST PRACTICES

A. A written harvest contract is used.

1. Logger uses a harvest contract or written harvest agreement including the following items:

- **Owner and location**
- **Indication of what trees are to be cut and/or left**
- **Boundary description and/or map**
- **Contract period and provisions for extensions**
- **Insurance or bonding provisions if required**
- **Close out requirements (cleanup and retirement) if required**
- **Provision to allow certification auditors on-site for logger evaluation**
- **Penalties for damages (if required by land or timber owner)**
- **Signatures and dates of logger and land or timber owner**
- **Provisions for release**

a Logger follows contract signed by the land or timber owner.

- *Logger may white out or obscure specific monetary contract statements*

Or

b Where a contract is not available a harvest agreement checklist signed by the land or timber owner must be used to establish provisions of a verbal agreement.

- *A model timber harvest agreement provided by the program can be used.*

B. Written harvest plan is followed.

1. Logger has inspected the proposed logging site prior to logging and developed and is following a written Harvest Plan containing the following items:

- **Map that includes, boundaries, public roads used for hauling, haul roads, landings, primary skid trails, streams and other water bodies and channels, stream or channel crossings, SMZ locations, and other control points (examples: seeps, wetlands, rock cliffs or other geologic features; endangered species locations and other biologically important sites; Indian mounds, other historic or pre-historic sites); or areas designated by the landowner or timber owner (examples include cemeteries, house sites, field, fences).**
- **Location or logging site and landowner or timber owner name.**
- **Signature and date of logger indicating when pre-harvest site evaluation was completed.**
- **Name of individual/office and date of contact with KDF, TDF, or industry representative requesting BMP check.**
- **Logging equipment exclusions**
- **Landowner or timber owner requirements**
- **Provisions for changing the plan**

- a Harvest plan or planning checklist for the current job.
 - *The logger can use the planning checklist provided by the program or a self developed harvest plan containing all the elements listed above.*

Or

- b Harvest contract that includes all the elements required for harvest plan.

C. Changes in contracts or harvest plans

- 1. Changes in contracts or harvest agreement checklist is signed by landowner**
- 2. Changes in Harvest Plan are indicated on the Harvest Plan**

What it means: The assessor will ask for a copy of the Harvest Contract and the Harvest Plan. The logger can use a signed contract that contains all the information required by the indicators or separate checklists can be used.

HARVESTING OPERATIONS

A. Timber utilization

1. Logging firm maximizes timber resource use

- a Remaining timber and/or woody debris is not saleable to local (financially viable) markets or is not included in the sale contract.

B. Aesthetics

Aesthetic practices should not supersede land or timber owner requests, safety concerns, and laws and regulations.

1. Logging firm employs aesthetic techniques

- a Aesthetic buffers are used along public roads
- b Trash is absent from site or properly disposed of on-site
- c Cutoff piles and debris piles are not visible from vantage points accessible to the general public or are stacked neatly on-site
- d Logging debris such as root wads, slash piles, are managed to reduce negative visual impacts to locations visible to the general public(ex. slash within 100 foot of road not over 4 feet above ground)

- e Hangers, barber chairs, noticeably bent trees, are not visible to the general public.
- f Practices in place to minimize rutting and mud holes on haul roads and landings visible to general public.

C. Residual stand damage is minimized

1. Logger minimizes residual stand damage

- a Evidence of damage to residual trees is not prevalent where harvesting is completed as indicated by less than 15% of residual trees greater than 12 inches in diameter having greater than 100 square inches of bark damage, 1/3 or more of top removed, knocked down, bent over past 20 degrees.
- b Bumper trees in use along skid trails

D. Extraction records

- 1. Logger has on-going records for all loads delivered for the current logging job while that job is active. *This could include individual load tickets, load sheets produced on the job, summary of weekly deliveries or a combination. Keep these for the current job.*
- 2. Logger keeps an annual record of total volume harvested. *Loggers will provide information on total volume cut in a calendar year to the program office.*
- 3. Annual summaries of wood delivered to buyers that specify the need for certified wood are kept for a period of five years. *Buyers of certified wood will provide delivery information for the year and these records should be kept.*

E. Harvester is a good neighbor, especially when working near urban areas

- 1. **Mindful of working hours (ex. limit the running of equipment outside 1 hour prior to normal working hours) within reasonable proximity to housing.**
- 2. **Mindful of special community events, including funerals, church services and community events (ex. stopping work during funerals, limiting equipment operation near ongoing community events)**
- 3. **Limits the use of compression brakes in town**
- 4. **Takes precautions to keep children and other curious community members out of the work area**
 - a Signs indicating harvesting are located at appropriate locations
 - *Auditor may interview community members that neighbor the worksite, when applicable, to gauge the harvester's compliance.*

F. Logger improves performance through evaluation of operations and continued training.

- 1. **BMP performance improves**
 - a BMP inspection reports indicate that previous problems are being addressed
- 2. **Logger and logging personnel stay up-to-date on logging practices and the logging industry**
 - a Owners of the logging firm actively engaged in harvesting maintain master logger status (KML and TML)
 - b Owners and/or workers are members of local logging organizations
 - c Owners of logging firms are members of state, regional, or national forest industry or logging organizations

What it means: The auditor will want to see that records are kept of the timber sold. When he looks around the job site he will be looking for a clean site, with a low number of damaged trees. There shouldn't be any salable pulp or saw logs lying around. Be respectful of communities near your worksite. Do your best to keep them safe, don't work too late in the evenings, and consider closing down for the day when working near community gatherings such as funerals, weddings, or festivals. Loggers should maintain their master logger status and participate in logging associations indicating their continuing education and keeping abreast of logging news.

BUSINESS VIABILITY

A. Logger demonstrates business viability

- 1. **Logger has a business plan.**

- *The program will provide a business plan checklist that can be used if no formal business plan is available.*
- 2. Uses professional services.**
 - a Provides bills from or names of C.P.A., lawyer, tax preparer, forestry consultants and other professionals used by logger
- 3. Logger maintains equipment**
 - a Equipment maintenance records are up-to-date.
 - *Program maintenance forms can be used for verification.*
 - b Receipts for equipment repair or maintenance are available.
- B. Workforce stability**
 - 1. Logger provides employees with opportunities that enhance workforce stability**
 - *Certification auditors will talk to employees regarding their training, safety, and other work related issues.*
- C. Ethical business practices**
 - 1. Contracts are honored**
 - a Field assessment indicates contract stipulations are being satisfactorily addressed.
 - b Interviews with landowners/purchasers of past contracts indicate that contracts were honored
 - 2. Disputes and resolutions are handled appropriately**
 - a Proof of dispute resolution is available
 - b Interview with parties involved in disputes indicates responsiveness by logging firm
 - c Agreed upon dispute resolutions are upheld
- D. Written safety policy**
- E. Logger maintains liability and vehicle insurance.**
 - 1. Logger maintains liability insurance for the firm/operation.**
 - 2. Vehicle insurance is maintained for all on-road vehicles owned by the logger and used in the logging operation.**
- F. Maintains business records**
 - 1. Certification records are maintained for at least five years**
 - 2. Logger can describe or demonstrate his record keeping system**

What it means: The auditor will want to know if you use an accountant to keep your books or a lawyer to draft your contracts. If you have a business plan or business plan checklist have it ready. He might ask your employees enough to determine if they are familiar with job site safety and feel comfortable about there jobs and ask the timber seller how they have been treated. He might ask about how you keep your records. In short, he wants to know if you are taking care of your business and are planning for the future.

END OF STANDARDS

LIST OF TERMS AND ACRONYMS

Aesthetic/ Practices	The visual aspects of a logging operation as determined by the general public Aesthetic and practices used to reduce visual impacts.
Auditor	A professional forester trained to audit logging jobs for the certified logging program.
Bad Actor	A legal definition of a business or individual that has not complied with the timber harvesting requirements for BMP use and/or master logger oversight of operations as required by the Kentucky Forest Conservation Act.
BMP	Best Management Practices for water quality protection.
Compression Brakes	Air assisted braking used to reduce dependency and wear on mechanical brakes.
Danger Tree	A dead or damaged tree that can potential cause injury or death.
Emergency Order	A legal cease and desist order issued by the Kentucky Division of Forestry to logging firms that do not have a master logger on-site and in charge or operations that are causing significant pollution.
KDF	Kentucky Division of Forestry
KDOW	Kentucky Division of Water
KFCA	Kentucky Forest Conservation Act requiring the use of BMPs for water quality protection and a master logger on-site and in charge.
Logging Firm	The business entity (sole proprietor, LLC, partnership, corporation) receiving certification.
MSDS	Material Safety Data Sheets. MSDS are issued by the company making chemicals and are required to be made available to employees. They indicate what chemicals are in the solution and how to protect oneself from their adverse effects (if any).
NOV	Notification of Violation
OSHA	Occupational Safety and Health Administration
PPE	Personal Protection Equipment
ROPS	Rollover Protective Structures
TDEC	Tennessee Department of Environment and Conservation
TDF	Tennessee Division of Forestry
US EPA	United State Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
Work Zone	Areas established around workers engaged in the various processes associated with logging in which no other person is allowed while operations are underway.

SCORING SYSTEM FOR AUDITS – HOW EACH LOGGING JOB IS SCORED

The scoring system is comprised of the same indicators that fall under each criteria for each subject area. The certification auditor scores each indicator on a standard scoring form with either a **1** (complies), **0.5** (partially complies), **0**, (does not comply), or **NA** (not applicable). To be certified, none of the 5 SUBJECT AREAS can have a total score of 0. For any indicators that receive a score of less than 1 or NA the certification auditor will provide a written observation. The observations will be brief but descriptive and will be classified as either **general** (no action required), **improvement** (meaning improvement is expected at the next field audit), or **critical improvement** (meaning improvements are expected in a time frame indicated by the auditor with reassessment in 3 months or less). All scores and comments will be shared with the logging firm before the certification auditor departs the logging site. The audit information will be reviewed by the certification committee whose responsibility it is to issue certification for each logging business.